

Appl. No. 09/109,343
Amdt. dated December 9, 2003
Reply to Office Action of September 24, 2003

REMARKS

This Amendment is in response to the Final Office Action mailed September 24, 2003. In the Office Action, the Examiner rejected claims 1-3, 5, 7-11, 14, 16, 19, 21, and 23-32 under 35 U.S.C. § 103. Applicant has not amended any claims in this Response. Claims 1-3, 5, 7-11, 14, 16, 19, 21, and 23-32 remain pending in the application. Reconsideration in light of the remarks made herein is respectfully requested.

In the specification, the two paragraphs that begin on page 8, line 1, have been amended to correct minor editorial problems.

In amended Figures 2, 3A, 3B, and 3C, the previously omitted reference numeral 202 has been added.

Telephonic Interview

Applicant thanks the Examiner for the courtesy of a telephonic interview on November 25, 2003. The recitation of "a first table associated with the VPN" of claim 1 as compared to the Examiner's citation of applicant's admitted prior art for the teaching of "a table associated with VPN ID" was discussed. No agreement was reached as to the patentability of any claim.

Rejection Under 35 U.S.C. § 103

2. The Examiner rejects claims 1-3, 5, 7-11, 14, 16, 19, 21, and 23-32 under 35 U.S.C. § 103(a) as being unpatentable over Aggarwal et al. (US 6,330,614) in view of applicant's admitted prior art (AAPA) figure 2.

Re claims 1, 26, 27, the Examiner admits that Aggarwal fails to explicitly teach that the label includes a VPN-ID associated with the table for routing. Applicant respectfully submits that, while Aggarwal fails to make the teaching admitted by the Examiner, the Examiner's admission misstates the claimed limitation of the present invention that is not taught by Aggarwal.

Claim 1 recites a router that comprises "a first table associated with the VPN, from among one or more separate tables, each table associated with a different VPN." Claim 26 recites a method that comprises "identifying a routing table associated with the VPN from among multiple separate routing tables associated with different VPNs." These claims recite a table that is associated with a single VPN and the use of multiple separate routing tables to handle multiple VPNs. This is not "a VPN-ID associated with the table for routing" as admitted by the Examiner. In great contrast, what is recited by the claims is "a table associated with the VPN-ID for routing."

Figure 2 of applicant's specification shows a prior art solution that "provide[s] a flat address routing space by simply combining the VPN-ID with the reachability information provided by the sites." Page 3, lines 14-16. The prior art route table 206 shown in figure 2 includes a plurality of VPN-IDs thus AAPA does not teach or suggest "a first table associated with the VPN, from among one or more separate tables, each table associated with a different

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"VPN" as claimed. AAPA does not teach or suggest using more than one table nor does it teach or suggest that tables are uniquely associated with different VPNs.

Further, Aggarwal teaches away from the combination proposed by the Examiner. Aggarwal discloses an invention that "enables elimination of the need for MPLS." Col. 5, line 25. The claimed invention is "for routing a packet ... having a label ... according to the Multiprotocol Label Switching (MPLS) standard."

Applicant respectfully submits that the combination of Aggarwal and AAPA fails to teach each and every element of the invention of claims 1 and 26, and that there would be no motivation to combine the disclosure of Aggarwal to provide an apparatus or method for routing packets labeled according to MPLS because Aggarwal discloses an invention that eliminates the need for MPLS.

Applicant respectfully points out that the Examiner rejected claims 1-27 and 26-28 under 35 U.S.C. 102(e) in the Office Action mailed July 26, 2002. Applicant made a similar argument to the argument now presented regarding the distinction between AAPA and the claimed invention in the Response filed September 26, 2002. In the following two Office Actions mailed October 25, 2002, and March 5, 2003, the Examiner did not reject any claims on the basis of AAPA.

Applicant relies on the patentability of the claims from which claim 27 depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional limitations recited.

Re claims 2, 3, 9, 10, 23-25, 27-32, applicant relies on the patentability of the claims from which these claims depend to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional limitations recited.

Re claim 5, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional limitations recited.

Re claims 7, 14, and 19, applicant relies on the patentability of the claims from which these claims depend to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional limitations recited.

Re claims 8 and 16, as discussed above for claims 1 and 26, applicant respectfully submits that the combination of Aggarwal and AAPA fails to teach each and every element of the invention of claims 8 and 16, and that there would be no motivation to combine the disclosure of Aggarwal to provide a method for routing packets labeled according to MPLS because Aggarwal discloses an invention that eliminates the need for MPLS.

Re claim 21, as discussed above for claims 1 and 26, applicant respectfully submits that the combination of Aggarwal and AAPA fails to teach each and every element of the invention of claim 21, and that there would be no motivation to combine the disclosure of Aggarwal to

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provide a method for routing packets labeled according to MPLS because Aggarwal discloses an invention that eliminates the need for MPLS.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-3, 5, 7-11, 14, 16, 19, 21, and 23-32 under 35 U.S.C. § 103(a) as being unpatentable over Aggarwal in view of AAPA.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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